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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD



06-13-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

Performance Health, Inc. and,  
Biofreeze Associates

Opposers,

Opposition No. 91156244

v.

Application Serial No. 78/137,603

Bayer Aktiengesellschaft

Published: January 7, 2003

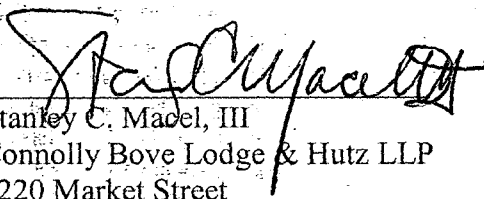
Applicant.

Attorney Docket No. 1426\*1112

CONSENTED TO MOTION TO EXTEND TIME  
TO RESPOND TO THE NOTICE OF OPPOSITION

Bayer Aktiengesellschaft, applicant in the above captioned opposition hereby requests, subject to the approval of the Board, a 60 day extension of time to file its Response to the Notice of Opposition. The new due date for the Response will be August 18, 2003. This delay is to permit the applicant to review the facts and for potential settlement discussions and was consented to by Nathan J. Prepelka, one of the attorneys for opposers during a telephone conversation on June 13, 2003.

Respectfully submitted,

  
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Dated: June 13, 2003

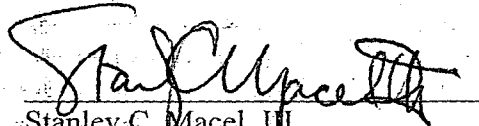
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## CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of June, 2003, I caused the original and one copy of the foregoing **CONSENTED TO MOTION TO EXTEND TIME TO RESPOND TO THE NOTICE OF OPPOSITION** to be deposited with the United States Post Office as U.S. First Class Mail, addressed to BOX TTAB-NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 and to be served upon the following counsel in the manner indicated:

**By U.S. First Class Mail**

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